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TO RUEHC/SECSTATE WASHDC PRIORITY 7118
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUEHBY/AMEMBASSY CANBERRA 0868
RUEHNE/AMEMBASSY NEW DELHI 4428
RUEHUL/AMEMBASSY SEOUL 7959
RUEHKO/AMEMBASSY TOKYO 5520
RHHMUNA/CDR USPACOM HONOLULU HI
RUEHGV/USMISSION GENEVA 3489
RHEHNSC/NSC WASHDC
RUCNDT/USMISSION USUN NEW YORK 1308
RUEKJCS/SECDEF WASHDC
RUEHBS/USEU BRUSSELS
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000076

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STATE FOR EAP AND IO; PACOM FOR FPA

E.O. 12958: DECL: 04/20/2017

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [BM](#)

SUBJECT: BURMA: SU SU NWE AND U GAMBIRA CHARGED

Classified By: Pol Officer Sean O'Neill for Reasons 1.4 (b) & (d)

¶1. (C) Summary. The regime charged at least seven more detained political activists, including Su Su Nwe and U Gambira. If convicted, U Gambira could get as much as three years in prison while Su Su Nwe could be imprisoned for over 20 years. The ILO remains interested in Su Su Nwe's case but will not publicly intervene unless there is a clear labor issue involved. Police in Rangoon arrested a leading NLD youth activist and are searching for another in hiding. The regime continued to deny attorneys for several high-profile defendants the right to see or defend their clients. End Summary.

¶2. (C) Opposition lawyers told us that on January 29, detained labor activist Su Su Nwe was charged with sedition, libel against foreign powers, and unlawful association. If convicted of sedition, she could receive 20 years imprisonment. The other two charges carry maximum penalties of three years each. Opposition sources believed the unusual charge of libel against foreign powers stemmed from her public criticism of China's support for the regime. According to NLD lawyers, Burmese law forbids public criticism of foreign countries that are not at war with Burma. Her attorneys appeared at the special Insein prison court but told us authorities did not let them attend the hearings or participate in their client's defense. Another detained activist, Bo Bo Win, also appeared before the same court but officials did not release any information about his case or what charges he may face.

¶3. (C) ILO Deputy Liaison Officer Piyamal Pichaiwongse told Poloff that the ILO remained concerned about Su Su Nwe's case, adding that, unless the labor activist is specifically charged with membership in a labor organization, the ILO will likely not intervene publicly. However, Pichaiwongse informed us that the ILO's Executive Director Kari Tapiola planned to visit Rangoon on February 25 and has already requested a meeting with Su Su Nwe. ILO's Rangoon office had been discussing the request with the authorities, who had yet to respond substantively. Pichaiwongse also mentioned that Tapiola may want to meet with NLD officials during his visit, but characterized any meeting as more of a courtesy call than a substantive discussion. We are seeking to clarify whether

the charge under the Unlawful Associations Act specifies that Su Su Nwe allegedly belonged to a labor organization and will pass along that information to the ILO.

¶4. (C) The family of U Gambira reported that the detained monk has also been charged with violating the Unlawful Association Act. U Gambira's younger brother, Pauk Township NLD Chairman Ko Aung Kyaw Kyaw, was arrested on October 17 and was charged with the same offense. If convicted, the two brothers could face up to three years imprisonment. U Gambira, the leader of the All-Burmese Monks Alliance, was arrested on November 4 and had been held without charge since then.

¶5. (C) Also on January 29, authorities charged four activists arrested for their participation in September's pro-democracy protests with sedition. The four men, Ye Min Oo, Ye Myat Hein, Kyi Phyu, and Si Thu Maung had previously been charged with public mischief, a much less serious crime. Conviction for sedition under Section 124(a) of the Penal Code carries a potential sentence of 20 years, whereas public mischief only carries a possible sentence of two years.

¶6. (C) An NLD official confirmed that leading NLD youth activist Nay Myo Kyaw was arrested on January 29 shortly after leaving an internet cafe. According to another Embassy contact, police took U Han Tha Myint from his car and forced him to return to his home which they then searched. Authorities later searched the house of another leading NLD youth member, Aung Htan, but he was not at home at the time and has been in hiding since, according to the NLD.

¶7. (C) Comment. Not surprisingly, the ILO is reluctant to publicly get involved in cases without a clear labor nexus.

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However, in his zeal to go after anyone he deems a threat, Than Shwe has only succeeded in attracting increased international scrutiny. The ILO will be closely monitoring developments with regard to Su Su Nwe, and another ILO Governing Body meeting will take place in March. End Comment.
VILLAROSA